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PRESIDENT KELLY.

AS AN EXAMPLE of what the lawyers would call "confession and avoidance" the letter of "Justice," who writes from Brigham City in defense of President Kelly of the Box Elder stake, is a masterpiece. In his brief published in The Herald of yesterday "Justice" admits almost in so many words that President Kelly is guilty of administering both temporal and spiritual affairs in Box Elder county, but he justifies his client on the ground that his actions were taken for the public good.

Referring to Kelly's meddling with municipal affairs "Justice" first denies that Kelly meddled at all. Then in the very next paragraph of his brief he says:

"The facts are that a serious conflict was impending about the ownership of the canyon water power and the contents of the old electric light company and the city power."

The breach widened every day, serious complications threatened and litigation and strife were in the air. At this juncture some of our most respected citizens, having in view the welfare of the city, earnestly invoked the assistance of President Kelly to calm the troubled waters and see that a reasonable compromise could not be effected between the conflicting parties. President Kelly responded and willingly gave his time and services to effect a much needed service to his home city.

"Justice" does not say that the "much needed service" performed by Kelly was entirely in the interest of the electric light company, but it was. Of course the only compensation Kelly got out of this "much needed service" was the knowledge that he was a public benefactor. Referring to the charges that Kelly and Apostle Clawson had the mayor and council of Brigham City remain after a meeting of the stake conference in order that they might be instructed to pass a certain resolution, "Justice" says:

"A large congregation who were present and possessed the usual number of ears failed to hear one word of this important matter." It is not surprising that the large congregation failed to hear the instructions. They were not intended for the congregation, but for the mayor and the councilmen exclusively. And subsequent developments showed that the mandate, "important" or otherwise, was needed.

Every other charge of interference by Kelly and the Box Elder presidency in the temporal affairs of the Mormons of Brigham City would stand proven in a fair court on the testimony of "Justice" alone.

It would be well for President Kelly to seek as little prominence as possible at this particular juncture. The Herald has advised that his superiors in Salt Lake have purposely been misled as to the facts of his administration, and the more publicity he gets the less palliation there is for his plan of management. Moreover, the attitude of the Mormon church and the people of Utah on the question of polygamy and the church in politics is to be the subject of rigid scrutiny by a congressional committee which will have little fear of stake presidents.

Does President Kelly want the congressional committee to look into his own record? He is extolled by "Justice" in these words: "The character of a man like President Kelly . . . whose life and labors have been so closely identified with the building up of the commonwealth of Utah . . . are unassailable."

Perhaps. But a congressional committee will be interested in the facts. For instance, it will note with some interest the fact given in President Kelly's own biography that he was arrested three times in 1888 for polygamy but escaped conviction, although he says now in his biography that he has three wives and twenty-four children. More interesting than this, however, is the subsequent fact that Kelly was arrested in 1899 for polygamy, pleaded guilty and was fined \$25, and almost immediately thereafter was promoted from his office of counselor to be president of Box Elder stake. As a climax of the record, he was the subject of a complaint and warrant some months later, but no action was taken in the courts so far as the record shows.

With becoming deference for President Kelly, The Herald submits that he is not in a position to invite public attention by the course he has adopted in Brigham City. The softer he sings the better for him and the cause he represents.

RUSSIA WON'T PLAY.

THE SEMI-OFFICIAL announcement from Russia that that country will not come over and play at our St. Louis exposition is followed immediately by a Japanese statement that Japan would be very glad to inherit the space already allotted to Russia. Seems to us this is rather rubbing it in. Japan says, in effect, that a little thing like a war with such a cheap country as Russia will not be permitted to interfere with her plans for a big exhibit. Russia may not be able to attend to but one thing at a time, but Japan proposes to show that she can attend to several. While her fleets and her armies are keeping all of Russia busy she will have more than enough resources and people left over to make the Japanese exhibit at the exposition one of the most attractive features of

that big show. Mr. Lovey, in his cartoon this morning, suggests uses for the additional space Japan will have if she becomes Russia's legatee.

And there is more truth than poetry in the suggestion. Battered Russian battleships, bits of Russian whalers, captured Russian battle flags and other war trophies would form an exhibit that would be looked upon with favor by American visitors to the exposition. The more we see of such things the merrier we will be. So here's to the supplemental Japanese exhibit at the exposition, and if it is so extensive that even Utah will be compelled to yield a portion of her space we'll try hard to bear up.

THE LAW'S DELAYS.

TWO INSTANCES of the methods by which the laws of the land operate to shield criminals were brought to light in the dispatches published yesterday. In Iowa, in 1900 Mrs. Margaret Hossack was accused of murdering her husband. After a trial that lasted for weeks and attracted considerable attention she was convicted and sentenced to spend the balance of her life in prison. Her attorneys took an appeal and a new trial was granted as a result of technical errors in the lower court. At the second trial the jury failed to agree. The same result followed a third trial. Now the prosecution has dismissed the case.

The other instance is the case of Mrs. Cordelia Botkin of California. In 1899 Mrs. John R. Dunning of Dover, Del. received through the mail a box of candy which she shared with Mrs. J. D. Dean. Within a brief time both women died. The candy was poisoned. After a prolonged following of faint clues Mrs. Botkin was accused of sending the candy to Mrs. Dunning. The evidence presented at her trial was strong enough to warrant a jury in convicting her and sending her to prison for life. Mrs. Botkin has just been granted a new trial. Her second conviction will be a matter of extreme difficulty because some of the most important witnesses for the prosecution are dead.

As in the Iowa instance, Mrs. Botkin may be set free without being compelled to undergo the formality of a second trial. In neither of these cases was the finding of the lower court reversed because the higher court did not consider the evidence conclusive enough to convict. Errors in pleadings, in the manner of introducing testimony, in methods of procedure were considered satisfactory grounds for the reversal. Many and many a criminal who should have died on the gallows or been confined in prison for long terms of years is walking abroad today breathing the air of liberty because of technicalities.

It is such instances that with adherence to Justice Brewer's belief that criminals should not have the right of appeal after conviction, or at least that the higher courts should not be permitted to order new trials on mere technical errors.

COSTLY MISINFORMATION.

THE GERMAN GOVERNMENT was either misled in regard to the negotiations between Japan and Russia before the breaking out of the war or it deliberately deceived its own people. And the deceit, or the inability to secure correct information, is said to have cost German brokers and bankers something like \$24,000,000. Only two or four hours before actual hostilities began the Nord Deutsche Allgemeine Zeitung, which is regarded as the mouthpiece of the German foreign office, contained assurances of continued peace.

This led the bankers and brokers to continue their business as they would have continued it under ordinary conditions. As a result of the peace assurances German bankers were persuaded to take a Russian loan of \$16,600,000 at 91. The very next day, when diplomatic relations between Russia and Japan were broken off, the new loan dropped to 86 in one crash. A panic that brought ruin to many well established houses followed. Securities of all kinds declined rapidly in value and the week is said to have been the blackest in Germany's financial history.

The Germans will hardly pin their faith to the government organ again in the light of this bitter lesson. Which teaches us that of all the lying newspapers that are permitted to disgrace the business those that lie the most frequently and the most maliciously are the alleged official organs. A newspaper that cannot print the news fairly, fully and without bias can never be depended upon to print the truth. In the United States we have no government organ, but we have an abundance of personal organs.

When you want to read the truth about what the owner of a great newspaper is doing or about what is being done to him, the last place to look for it is in his paper. One need not necessarily hunt up the opposition paper, but one must hunt up the paper that has no strings on it, as the saying goes. It was to the interest of some high officials in Germany to keep the people in ignorance. Therefore, the organ of the government printed misstatements. The organ should be abolished.

F. Augustus Heinze of Montana seems to be having some very untucky days in court just now. His record of yesterday was two important cases lost. Mr. Heinze has been referred to as the man who does his mining in court. When he gets out of court he may have to do some real mining.

Those Australians don't seem to take very kindly to Prophet Dowie. A mob of 5,000 of them drove the prophet out of a meeting the other day. Dowie is likely to discover that a prophet who has a little honor in his own country had better stay in his own country.

With such training is it any wonder these Japs are good fighters? They know how to pray straight and how to shoot straight. What more could anyone want? Russia's finish looms nearer every minute.

Edward C. Wall of Wisconsin has been put forward as a candidate for the Democratic presidential nomination. It is therefore pertinent to inquire: Who is Wall?

IN LIGHTER VEIN

No Matter Which Side Wins.

In Seoul sits the king of Korea. He's as proud as a king well could be. But if he only knew When this war is through He will rule a much-reduced area!

Took a Short Cut.

"Over in Japan," said the Philippine veteran, "the policemen carry swords instead of clubs. They're good policemen, too, and full of business. They don't want any better fun than to get some foreigner making a racket at night and by the time they get through caressing him with those little swords he looks like a 5-cent cut of hamburger. They don't take kindly to noise at night, those Japanese coppers. I found that out one night in Nagasaki. Our transport had stopped there and some of us were on shore. There was a United States warship in the harbor and a few of the sailors were on shore that night, too. The Japs drink a sort of booze they call sake. You heat it before you drink it, and if you get enough into you it will do things. One big sailor, or a fellow who stood about six and a half feet high and weighed probably 275 pounds, was with our gang and he got quite noisy. A little Japanese policeman came along and tried to make him quiet. The big sailor hit him a clout and knocked him about half a block. Two more little cops who came along got the same dose. Then we heard a yelling up the street and about twenty of them were coming in a bunch all with their swords out. The harbor and we started to run for it. Half way down the block we saw another bunch of them coming the other way. 'Now we are up against it,' said one of the boys. 'Not in a million years. One big sailor just dropped his head and ran straight through the side of a house. It was a crack the second after his struck it. Yelling and cursing, he kept charging on, us after him. He tore through walls, broke the bamboo poles holding the things together and left a track



like a four-horse team behind him. We stumbled along, one people who had just been waked up and who were yelling and scared. We felt over mated, broke croaky and raised thunder generally. The big sailor was knocking down two Japs with each hand and each foot every jump, and we were ripping along through the wreckage he left behind him, knocking down as many as we could. Oh, it was a heap good excitement! We tore through two blocks like that. The sailor knew the town and made a bee-line for the water's edge. The Jap coppers were paralyzed when we ran through the side of the house, but in a minute they started around to head us off. They were too late, though, because we made our fair time ourselves and had the short cut. In about four minutes we were all on the water front. Sailors, most of 'em, carry sheath knives. The big sailor got his out and he ran and cut the rope of the first boat we found. We all piled in and pulled out about thirty feet to walk for the Jap cons. Pretty soon they came tearing here good awful Jap language at us. They had no guns, you know, and the big sailor stood up and bawled them out in great shouts, though when one of them let drive with his sword at us. The thing came tearing through the air and stuck clear through a seat in the boat right behind the rest of them. They cracked at us and went out to our ships. It would kill you to look at that big fellow. He began to clean himself up in the boat. He had a piece of about every house he had pulled down hanging around his neck. Pieces of bamboo, paper, twine, matting and a little of everything were on his hands and face were all cut and bleeding from his charges on the houses and his uniform hung in rags all over him. We never did know his name, but he was certainly a very able man, and saved us a lot of trouble that night. Our transport pulled out the next morning and our officers never found out about it. I don't know how he came out with his officers, or whether the Japanese authorities made any fuss about it. It made business good for the housebuilders in Nagasaki for a while, anyway."

The Russians will soon know the location of all their submarine mines, unless they have more mines than ships.

Those Russian submarine mines, by the way, appear to be working to the entire satisfaction of Japan.

If Salt Lake county officials were like some former city officials, Grand Rapids or some ex-assemblage of Missouri, it would not have been necessary to send away for an expert man, but to crack the county treasurer's safe.

HELVETIA MILK CONDENSING CO. PRODUCED AND GUARANTEED BY THE MILK CONDENSING CO. OF SWITZERLAND. STETSON'S ORIGINAL BIG DOUBLE SPECTACULAR. UNCLE TOM'S CABIN. THE BARNUM OF THEM ALL. Next attraction, Gas Sim's Minstrels.

Economy Brand Evaporated Cream is of uniform quality at all seasons, always pure, heavy in consistency, of delicious flavor and appetizing appearance.

Ask for the brand with the "Helvetia" cap label. Made by the largest producers of Evaporated Cream in the world.

MCCORNICK & CO. BANKERS. SALT LAKE CITY, UTAH.

SOCIETY

Miss Nellie Crandall, niece of W. S. Henderson, and C. F. Jennings, both of this city, were married in Pocatello on the 10th inst. They went to Portland to spend their honeymoon. The young couple will at home after March 1, at 395 East Sixth South street.

The Seekers' Literary club will meet with Mrs. Charles Sherman, 463 Fifth East, this afternoon.

The students of Gordon academy entertain informally this evening.

There will be a meeting of the P. E. O. society Saturday afternoon at 2 o'clock at the home of Mrs. Freeland, 157 Second street.

At the meeting of the current events section of the Ladies' Literary club tomorrow Mrs. John E. East will give a paper on "James Whitcomb Riley," with readings from his works. Mrs. Aaron Keyser will read a paper on the Russian-Japanese war.

Miss Edith Hawkes has issued invitations for a Washington birthday party to be given at her home next Monday evening.

The Woman's club will hold its next meeting with Mrs. P. N. Cook at the Eagle block. The paper of the afternoon will be given by Mrs. H. C. Kimball on "The Coal Strike and its Arbitration."

The degree teams of the Woodmen of the World will give a ball at Christensen's hall this evening.

NO MAN OR WOMAN CAN HAVE DYSPEPSIA

And Still Be Agreeable, Attractive and Popular—A Certain Cure in Reach of All.

There is nothing that will put you to the front so rapidly in the business or social world as a cheerful disposition and a pleasant appearance. Other things people will go out of their way to give the fellow a lift who always wears a cheerful countenance. The man or woman with a cranky disposition and a sour face will always meet with an indifferent if not a chilly reception. The commercial traveler, who is the recognized business thermometer, appreciates better than any one the value of this rule and governs his actions accordingly.

Dyspepsia destroys all the agreeable qualities that enter into a man or woman's make-up. It is almost a human impossibility for any one with a severe case of dyspepsia to look pleasant. The continuous, miserable, east-down feeling is bound to make itself shown in the appearance and conversation.

Stuart's Dyspepsia Tablets are the sufferer's certain cure. They are so recognized all over the world. They cure what have brought about and the happiness they have caused and the suffering they have relieved has made their name a household word in all the English-speaking world.

The reason that Stuart's Dyspepsia Tablets are a certain cure is that they are a natural cure. There is nothing the essential ingredients of the digestive fluids of the stomach and simply do the identical work of the stomach relieving that weakened organ and permitting it to rest and recuperate. Could anything be more simple or natural? They are bound to cure. They cannot help themselves. As is just like putting a new stomach in a man—if that were possible—and letting the old one go off on a vacation. Rest is what it needs. Nature will do her own work of restoration, never fear.

Stuart's Dyspepsia Tablets are for sale by all druggists at 50 cents a box. All druggists mean all druggists. They have become so necessary to the people that the druggist simply has to keep them anyway. There are other remedies that he can make much more money on if he could sell them, but he can't. He will not take chances on losing his customers by not always having on hand a supply of Stuart's Dyspepsia Tablets.

Genuine Carter's Little Liver Pills. Must Bear Signature of Asa Wood. SEE FACSIMILE WRAPPER BELOW.

Very small and as easy to take as sugar.

CARTER'S LITTLE LIVER PILLS. FOR HEADACHE. FOR DIZZINESS. FOR BILIOUSNESS. FOR TORPID LIVER. FOR CONSTIPATION. FOR SALLOW SKIN. FOR THE COMPLEXION.

Price 25 Cents. Purely Vegetable. No Harmful Ingredients.

GRAND THEATRE. JONES & HAMMER, MGRS. PRICES Night, 50c, 60c, 75c. Matinee, 50c.

Extra Matinee Today at 3. TONIGHT AND TOMORROW NIGHT. Matinee, Saturday at 2:15 p.m.

STETSON'S ORIGINAL BIG DOUBLE SPECTACULAR.

UNCLE TOM'S CABIN.

THE BARNUM OF THEM ALL.

Next attraction, Gas Sim's Minstrels.



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about where to invest your money safely. Look at the percentage paid by the Utah Commercial & Savings Bank on your savings, and which you don't have to worry over at all. It makes money for you while you sleep, without any fear of loss in the investment. By means of an account in the Utah Commercial & Savings Bank, it may be the best egg you can bank with us by mail. 224 East First South Street.

A maiden came down to shop
Quite early in the morning;
Long past noon she felt a gnaw,
But heeded not the warning.

She drank tea, it was so good,
One cup, and then another;
"Such fine brew—I'll hurry home
And enlighten mother."

Remnants At Half Price

This lot embraces many choice spring materials for suits and skirts. The following prices give an idea of the character of remnants, of which there are many:

4 1/2 yards black dot Prunella, \$6.00, for.....\$3.00
7 yards Fancy Zibeline, \$10.00, for.....\$5.00
4 yards Plain Louise, \$5.00, for.....\$2.50

Specials for Friday and Saturday.

NIGHTGOWNS, made of good muslin, tucked yoke, lace or embroidery insertion, hemstitched or Hamburg ruffles. regular price 75c; special.....63c
CORSET COVERS, made of good quality muslin, four rows lace insertion, lace edge; regular price 50c; special.....39c

SHIRTINGS AT 25c.

See the handsome line of Shirtings in one of the windows, especially fine for the money. For a few days, yard.....25c

KEITH-O'BRIEN CO.

THE MODERN STORE—MODERATE PRICES FOR EVERYBODY.

Men Are Deceptive

sometimes, and so are pianos. A handsome outside is no promise of the merit within. So in choosing a piano exercise the same care as you would in choosing a husband. Get a Chamberlain piano and you will get one with more real music to the square inch than in any piano made. We will sell you one on terms that will please you. Call and see these with many more beautiful instruments.

Vansant & Chamberlain
32 Main Street.
OPPOSITE Z. C. M. I.

Some people drink nothing during Lent—except water. But that is the most dangerous thing to drink, if impure. Nothing but health bottled up in Idan-ha.

RIEGER & LINDLEY,
"The Whiskey Merchants."

We Sell, Rent, Repair and Exchange TYPEWRITERS

We sell Tabulating Attachments.
We sell Typewriter Supplies.
We sell Typewriter Furniture.
We furnish Stenographers and Operators.

CAN WE SERVE YOU?

REMINGTON TYPEWRITER COMPANY
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Look well to your Fire Insurance Policies. This great fire will undoubtedly "wipe out" 25 per cent. of the Fire Insurance Companies doing business in the United States.

The Policies of many companies will be made only so much waste paper.

Every company in the Wilson-Sherman company's agency, eleven in all, went through the great Chicago and Boston conflagrations, and paid their losses dollar for dollar, and have accumulated their millions since on account of the reputation made in those trying times; they will pay in full again for their losses at Baltimore and yet have money left for any possible obligation they are liable to incur in Utah or elsewhere.

Notice their list of great companies:

Company.	Incorporated.	Assets Jan. 1, 1903.
Citizens of St. Louis, Mo.	1857	\$14,130,588.58
Continental-American of New York.	1872	10,219,176.70
Ins. Co. of North America.	1792	10,702,585.61
National Fire of Hartford.	1869	6,205,339.71
Niagara Fire of New York.	1850	3,088,154.91
Norwich Union Fire Insurance Society.	1797	7,600,000.00
Phoenix Insurance Company of Hartford.	1854	6,487,612.14
Philadelphia Firewriters.	1817	13,853,407.00
Springfield F. & M. of Massachusetts.	1840	5,144,391.84
Queen Insurance Company of America.	1891	5,744,340.80
Transatlantic Fire Insurance company.	1870	2,900,600

All of these eleven (11) great Fire Companies represented by
THE WILSON-SHERMAN CO.
No. 32 West Second South Street, upstairs.
Insurance in all its branches. "We want your business."

\$3 A MONTH \$3

ALL MEDICINES FREE.
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This Special Low Rate Applies to All Until Further Notice.

WE TREAT AND CURE CATARRH and all diseases of the Lungs, Heart, Brain and all Chronic Diseases of Men, Women and Children. OUR HOME TREATMENT CURES. Write For Symptom List. Consultation FREE.

Weak Men
If you suffer from any of the weaknesses or diseases caused by ignorance, errors or over-exertion, you are THE VERY PERSON WE WANT TO TALK TO. We have proven our skill in curing CHRONIC diseases by publishing the many voluntary testimonials from men, giving names, pictures and addresses.

Pay When Cured
We cure you first and then ask a REASONABLE FEE when you are cured. You can depend upon our word. Thousands of patients have been cured. NOW WE WANT TO CURE YOU with the distinct understanding that we will not demand a FEE until we cure you. This applies to Lost Manhood, Seminal Weakness, Spermatorrhea, Varicocele, Disease of the Prostate Gland, Urinary Losses, Gonorrhea, Gleet, Stricture, etc. Outrageous Blood Poison, and all WEAKNESSES of men. Consultation and advice free.

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Will convince you that all the favorite brands are represented. A few of them are the Webster, Independents, Principe de Gale, Cressida, etc.

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The **KING** Hardware and Stove Co.

Headquarters for Stoves and Ranges, also Builders' Hardware.

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The **Right Thing**

At the right time, at the right price is usually what people want. Cooper's Sarsaparilla at \$1.00 the bottle is just the thing for this time of year. It purifies the blood and tones the system.

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Where the Cars Stop.

New City Package Delivery

Parcels and goods called for and delivered promptly. C. O. D. delivery guaranteed.

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Tel. 2055-K.

THREE CROWN

BAKING POWDER

It is perfectly pure and its results will please and SATISFY the most critical.

Manufactured by **HEWLETT BROS. CO.**

IMPERIAL CREAM

This is the time of the year when you need this excellent preparation. Good for chapped hands, exposure to cold, wind and sun, only

15c a bottle

A. C. Smith, The Druggist
142 Main Street.

Hotel Knutsford

G. S. HOLMES, Proprietor.

New and elegant in all its appointments; 20 rooms, single and en suite; 20 rooms with bath.